THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR. JUSTICE K .C. BHANU

WRIT PETITION NO : 26686 OF 2005

Dated 26-12-2005

Between :

Shaik Asiya, wife of Malik Ahmed, resident of Door No.15-9-30, Vinobha Nagar, 7th Lane Old Guntur.

PETITIONER.

AND :

1. The Station House Officer, Dachepalli Police Station, Guntur District and another.

RESPONDENTS

ORDER : (Per the Honourable Smt. Justice T.Meena Kumari)

This is a taken up writ petition on the telegram dated 09-12-2005 seeking a direction to the respondents to produce the son of the petitioner viz., Shaik Irfan before this Court, who was forcibly taken away by the police Personnel of Dachepalli Police Station, Guntur District namely Subhani, Srinu and Arjun on 17-11-2005 while he was returning home after attending the Tenali Court and was illegally detained since then and also to set him at liberty forthwith.

The respondents have filed the counter denying the allegations in the Telegram. It is contended in the counter that on the complaint given by one Maddi Vijaya Shankar, Managing Director of Sri Viswa Cold Storage, Guntur, a case in Cr. No : 104 of 2005 for the offence under section 379 I.P.C. was registered by the C.I. of Police, Dachepalli Police Station, Guntur against the alleged detenu along with other accused and during the course of investigation, the alleged detenu and the other accused were produced before II Addl. Munsif Magistrate, Gurazala on 13-12-2005 and the learned Magistrate remanded them to judicial custody.

It is submitted across the Bar by the learned Advocate General that in view of registering the F.I.R. in Crime No:104 of 2005 on the complaint given by one Shaik Asiya against the alleged detenu and others, the question of illegal detention does not arise.

In view of the submission made by the learned Advocate General and in view of the averments made in the counter that a crime was registered against the alleged detenu and others and they were remanded to judicial custody, We are of the view that no further orders are necessary in this writ petition.

In the result, this writ petition is closed. No costs.

Justice T.MEENA KUMARI

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Justice K.C.BHANU

Date : 26-12-2005.

Dvs/Gurc

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR. JUSTICE K .C. BHANU

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WRIT PETITION NO : 26686 OF 2005

(Order delivered by the Honourable Smt. Justice T. Meena Kumari)

Dated 26-12-2005